

Article 139 Claims

If a soldier deliberately damages or destroys your property, you are entitled to compensation directly from the guilty soldier. Article 139, UCMJ, provides an easy, effective way for victims of deliberate misconduct to obtain compensation for their losses.

To start the recovery, the victim makes a written demand for a specific dollar amount of compensation to the commander of the accused soldier. A simple letter is enough. The letter should identify the guilty soldier, explain how the loss occurred, and the amount of the loss or damage. (If there are any witnesses, it is helpful to have a statement from them too, or at least provide their names and phone numbers). The amount should be substantiated with estimates of repair or estimates of the replacement cost.

You must submit written demand promptly. Generally, it must be submitted within 90 days of the incident. An unreasonable delay may result in the claim being denied. An Article 139 claim is an administrative action and is independent of any other criminal action against a soldier. There is no reason to delay filing or processing the Article 139 claim, even if criminal charges are pending.

In addition, the claim must be for personal property damage only. Bodily injuries and damage to real estate are not payable under Article 139. Contract disputes, such as arguments over a Family Childcare contract or the sale of a POV, are also outside the scope of Article 139.

Remember each case is different. This summary provides general information only. The procedures and requirements for Article 139 Claims are found in AR 27-20, Chapter 9. For more information, you may contact the Claims Office at:

For more information, please contact claims personnel at the Northern Law Center-SHAPE, Building 318, DSN 423-4061 or civilian 065/44.40.61.

